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UNITED STATES DISTRICT COURT
CENTRAL DISTRICT OF CALIFORNIA — WESTERN DIVISION

ERIC B. FROMER CHIROPRACTIC,
INC., a California corporation,
individually and as the representative of
a class of similarly-situated persons,

Plaintiff,

vs.

NEW YORK LIFE INSURANCE AND
ANNUITY CORPORATION, NYLIFE
SECURITIES LLC and JOHN DOES
1-10,

Defendants.

Case No. 2:15-cv-04767 AB (JCx)
Hon. André Birotte Jr.
Ct. 4 – Spring Street

CLASS ACTION

**[PROPOSED] ORDER GRANTING
STIPULATION TO VACATE
DEADLINE FOR DEFENDANTS
TO FILE INITIAL DISCLOSURES
AND RESPONSIVE PLEADING
AND SETTING DEADLINE FOR
FINALIZING SETTLEMENT**

Action Filed: June 24, 2015
Trial Date: None Set

12578.0001/8895698.1

**[PROPOSED] ORDER GRANTING STIPULATION TO VACATE
DEADLINE FOR DEFENDANTS TO FILE INITIAL DISCLOSURES
AND RESPONSIVE PLEADING AND SETTING DEADLINE FOR FINALIZING SETTLEMENT**

1 Defendants NEW YORK LIFE INSURANCE AND ANNUITY
2 CORPORATION AND NYLIFE SECURITIES LLC (“Defendants”) by and
3 through their undersigned attorneys, and Plaintiff ERIC B. FROMER
4 CHIROPRACTIC, INC. (“Plaintiff”) (collectively the “Parties”), by and through its
5 undersigned attorneys, have stipulated to continue certain scheduling dates to give
6 the Parties time to finalize a Settlement Agreement. The Court, having read and
7 considered the Parties’ Stipulation, and good cause having been shown, orders as
8 follows:

9 **ORDER**

10 In light of the Parties’ representation that the matter has settled pursuant to
11 terms set forth in a binding Term Sheet, Defendants’ obligations to file their Rule 26
12 Disclosures and to file their Motion(s)/responsive pleadings are vacated absent
13 further order from the Court. The Parties shall report to the Court no later than
14 **November 7, 2016**, to advise the Court of confirmation of execution of a final
15 Settlement Agreement, to request a scheduling conference to propose a schedule for
16 class certification briefing, administration, and final approval consistent upon
17 confirmation of a final written Settlement Agreement. If the final Settlement
18 Agreement is not executed and briefing schedule proposed by **November 7, 2016**,
19 the Parties shall report to the Court as to any remaining impediments to
20 implementing the settlement terms reflected in the Term Sheet.

21 **IT IS SO ORDERED.**

22
23 DATED: October 18, 2016



24
25
26 Hon. André Birotte Jr.
27 United States District Judge